

## REMARKS

Applicant appreciates the Examiner's feedback during the telephone interview conducted with the undersigned on 4/12/04. With respect to the objection to the drawings (in paragraph 1 of the 3/17/04 Office Action), as noted during the interview, separate power controllers [106(1) – 106(4)] are presently shown for each device in the original Figure 1. Therefore, no changes have been made to the drawings.

### Claim rejections under 35 U.S.C. 112

The Specification has been amended to correct the reference numbers objected to in paragraph 2 of the Office Action.

Claims 2 and 11 have been amended to delete the words "to be", and thus should now read intelligibly.

Claim 4 has been amended to depend from claim 2, instead of claim 1, which should overcome the lack of antecedent basis cited in paragraph 4 of the Office Action.

The Examiner asked, in paragraph 4, "How can the first I/O card be restarted and remapped if it has been replaced?". Applicant believes that this situation may, in fact, occur, simply based on the dictionary definition of "replace". *Webster's Seventh New Collegiate Dictionary*, for example, defines "replace" as:

*v* **f** 1 : to restore to a former place or position

Thus Applicant believes that the first I/O card can be restarted and remapped if it has been 'replaced', because, in accordance with the dictionary definition, the card, after being replaced, has simply 'been restored to its former place / position'. In addition, the first I/O card can be replaced with another I/O card, which becomes the "first I/O card" after having been replaced, in accordance with another dictionary definition of "replace", namely, "to fill the place of".

Therefore, Applicant believes that claims 16 and 18 are not indefinite in their present form.

### Claim rejections under 35 U.S.C. 102

Applicant believes that the cited Madonna et al. patent (U.S. No. 5,596,569), cited in paragraph 6 of the Office Action, does not contain every element of Applicant's claim 1. Madonna states, in lines 58–61 of column 7:

“However, should one of the line cards fail, its I/O card is instructed by the CPU card 12 to switch the data stream onto the I/O bus 19, where it is redirected to one of the standby I/O cards 58,60,62.”.

Madonna thus detects a failed *line card*, rather than a failed *I/O card*, as recited in Applicant’s claim1. Applicant believes that this fundamental distinction is sufficient to overcome the rejection of claim 1, as the two types of cards are basically different, and, equally important, because no function equivalent to indicating the failure of a core I/O card, or sending signals from the system processor indicating the failure of an I/O card, as recited in Applicant’s amended claim 1, is stated or suggested in the Madonna reference. Rather, Madonna states, in column 7, at lines 1–6,

“Since the failure of a line card can be catastrophic to the switch 10, a redundancy feature for the line cards is highly desirable, as it is for all switch components. The present invention provides such a redundancy in the form of I/O bus 19 and standby line cards 52, 54 and 56, corresponding to the T1, E1 and J1 protocols, respectively.”

In contrast, Applicant’s claim 1 exclusively recites a “core I/O card”, rather than a “line card”, as the type of card whose failure triggers operation of a substitute I/O card when a failure of a core I/O is detected:

“...the second core I/O card performs functions performed by the first I/O card while the first I/O card is removed from its card slot and replaced...”

Furthermore, ‘I/O cards’ in the Madonna patent are clearly distinguished from ‘line cards’ in the patent:

As with the line cards, the I/O cards for each protocol are shown together, each set of I/O cards feeding an incoming data stream to its set of line cards [column 5, lines 31–33].

Claim 1 has nevertheless been amended to more clearly distinguish over Madonna et al., by reciting the fact that the first I/O card is replaced by the second I/O card “in response to signals sent from the system processor via the communication bus indicating failure of the first I/O card”. For at least the reasons set forth above, Applicant believes that the Madonna reference does not show or suggest every

element of Applicant's claim 1, and thus the claim (as amended) should be allowable in view of the cited reference. In addition, Applicant believes that claims 2-9, which depend from claim 1, should also be allowable.

Applicant also believes that claims 11 and 12 should now be allowable in view of the amendment to claim 11, and in addition, that claims 16-20 are also allowable in view of Applicant's explanation above with respect to claims 16 and 18.

If, in the Examiner's opinion, prosecution of the present application may be expedited with a telephone conference, the Examiner is encouraged to contact Michael Byorick, Reg No. 34,131, of Lathrop & Gage LC at (505) 534-9004.

Respectfully submitted,

By:



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